

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**January 19, 2011**

**7:50PM**

### **CALL TO ORDER & FLAG SALUTE**

Council President O'Hara called the meeting to order and led the Salute to the Flag.

### **SUNSHINE STATEMENT**

The Opening Statement was read: Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 2, 2011 and January 16, 2011; given to the Register News for information; posted on the municipal bulletin board.

### **ROLL CALL**

Present: Frank Baldorossi, Sean Ryan, Jerry Sandusky, David Woolston, Dennis O'Hara

Also Present: Mayor William Berry; Richard A. Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

Council President O'Hara explained that last week's meeting was canceled due to inclement weather; the township tried to notify as many people as possible.

### **PUBLIC COMMENT**

Richard Lotter, 3 Walnut Court, asked what the benefit of the new website design would be? He also stated the time for the Council Meetings is wrong on the calendar on the website; it states 6:30PM instead of 8:00PM. Assistant Administrator Sahol explained that it is basically the old website converted to a new look that, based on market studies, is more user friendly. He explained that the time listed on the calendar is just there to reserve the meeting room so other boards, other organizations and department heads can see that room is reserved at that time. If the user were to go to the Agenda that is posted, the Agenda notes the start time of the meeting. He explained that the new design is in its infancy and understands that it can be confusing. He has heard the same concern from another resident. The times of the meeting will be removed from the calendar. Assistant Administrator Sahol appreciates any feedback on the new website design.

All residents having an opportunity to be heard, MOTION by Sandusky; seconded by Ryan to close the public portion of the meeting. All ayes - motion carried.

### **TOWNSHIP WATER AND SEWER ENGINEER**

#### **New Belt Filter Press: Current Estimate No. 5 and Change Order No. 1**

Administrator Brook reviewed and recommended payment of Current Estimate No. 5 and approval of Change Order No. 1. The Change Order was very minor for a project of this magnitude. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

#### **Estates at Oak Mill: Performance Bond Reduction**

Administrator Brook reviewed and recommended the Performance Bond Reduction. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

Council President O'Hara stated that there were some problems with dust blowing in the summer and asked if there were any issues of concern now? Dan Guzzi, Township Engineer, stated that there have not been any other issues of significance. Administrator Brook noted that the developer has been much more attentive and cooperative.

## **Florence Township Council Executive Session: 01/19/11**

### **TOWNSHIP ENGINEER**

#### **Scamporino, Harkins Lane: Bond Reduction**

Dan Guzzi, Township Engineer, reviewed and recommended the Bond Reduction. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

#### **Haines Center, 270 Daniels Way: Cash Maintenance Bond**

Mr. Guzzi explained that the developer has requested that the cash bond be released. The money was posted for concrete monuments that were not set. This will be held for a future meeting in order to have the backup paperwork available.

#### **Ready Pac: Performance Bond Release Request**

Mr. Guzzi reviewed and recommended release of the Performance Bond conditioned upon the posting of a 2-Year Maintenance Bond. This is for the work out front of the facility. Action will be held for a future meeting in order to have the backup paperwork available.

#### **2009 Bikeway, American Asphalt: Current Estimate No. 4**

Mr. Guzzi reviewed and recommended payment of Current Estimate No. 4. There is \$12,000 - \$13,000 remaining on the contract to cover the outstanding punch list items that cannot be addressed until the spring. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

Council President O'Hara asked if the bad weather would have any effect on the punch list items? Mr. Guzzi stated that if there are any ill effects, the contractor will have to address them.

#### **Roma Bank (formerly Sterling Bank): Performance Bond Release**

Mr. Guzzi reviewed and recommended denying the release of the Performance Bond due to outstanding punch list items. The developer is aware but unable to address the items until the spring. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

#### **NJ District Council Assembly of God: Release Maintenance Bond**

Mr. Guzzi reviewed and recommended denying the release of the Maintenance Bond due to outstanding punch list items. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

#### **2008 Road Program: Current Estimate No. 9 – Final Payment**

Mr. Guzzi reviewed and recommended payment of Current Estimate No. 9. Payment will close out the contract. A Resolution has been prepared for the Regular Session following this evening's Executive Session. Once this payment is processed, Mr. Guzzi can get the balance of the DOT reimbursement for the township.

### **ASSISTANT MUNICIPAL ADMINISTRATOR**

#### **RecycleBank Agreement**

Assistant Administrator Sahol explained that RecycleBank is the program that was started with the toter distribution in 2009. It is an incentive based recycling program to entice residents to recycle more fiber material. The initial contract with RecycleBank required a \$0.60 per container per month fee that is paid from the recycle grant fund that the township receives from the State of New Jersey. The State has reduced the amount of the recycle grant given to the township. Administrator Brook explained this to RecycleBank and they are willing to help the township this year, 2011, by

## **Florence Township Council Executive Session: 01/19/11**

modifying the agreement where not every container would be charged the \$0.60, just the containers that have been activated. The township would only be paying for the residents that have subscribed with RecycleBank. The township benefits by the savings created by less recyclable material going to the landfill and an increase in the recycle tonnage. He recommended entering into the modified agreement for one year.

Assistant Administrator Sahol explained that the State of New Jersey is not supposed to be raiding the recycling grant fund because that fund is for the betterment of recycling but the state has been raiding that fund year after year and has not been paying it back as much as they should. With the reduced amount in that fund, it is that much less the municipalities receive through the grant program. Assistant Administrator Sahol was anticipating a grant this past November of approximately \$66,000, based on prior years' calculations and knowing the amount of tons the township did in 2008, but only received approximately one third of that. Assistant Administrator Sahol is hoping that the state is beginning to repay the fund. He noted that there are a couple of big projects he knows he will be submitting tonnage for in 2011 and 2012, which will help in future years.

Council Members are in agreement to move forward with the modified Agreement with RecycleBank for one year. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

### **Telephone Service Provider**

Assistant Administrator Sahol noted that at the last meeting Council approved moving forward with the purchase of the telephone hard equipment to replace the failing equipment in the municipal building. At the same time Assistant Administrator Sahol was researching many different vendors that could offer the municipality the technology solution to copper wires. The solution he found is offered by a private company, who is authorized to do business in the State of New Jersey as a reseller; they resell Verizon. They get it from Verizon at a much-reduced rate, bundle it and sell it back to the municipality. Assistant Administrator Sahol stated that Florence Township can anticipate a substantial savings but cannot give a definite figure because the service would be phased in. Council Member Ryan, who has experience in this field, agreed that a definite savings figure cannot be given yet but believed the township may see a 300% savings in the telephone bill. He also noted that the township was able to get the equipment at half the cost as originally thought. Council Members are in agreement to move forward with a three-year Agreement with Voxnet Communications, Inc. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

### **INTERLOCAL AGREEMENT – NJDEP REQUIRED MERCURY SAMPLING, WASTEWATER FACILITIES**

Administrator Brook explained that a couple of years ago the State of New Jersey required that all municipal wastewater entities do mercury testing. William Dunn, Director of the Mt. Holly Sewage Authority, came up with the idea of pooling resources together and hire a company to do the required sampling at a lower cost. Florence Township entered into a two-year agreement in 2008 with a set dollar figure not to exceed \$7,000. It is time to renew and begin testing again but by renewing under the Interlocal Services Agreement, the not to exceed figure will be \$4,500, anticipating that the cost should be approximately \$3,500; he is allowing for additional testing. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

**APPOINTMENTS**

**Zoning Board: Alt. #1, Unexpired Term, Term Expires 12/31/11 and Alt. #2, 2 Year Term, Term Expires 12/31/2012**

It was on the MOTION of Baldorossi, seconded by Sandusky to appoint **Robert Adams** to the Zoning Board as Alt. #1 and **William Bott** to the Zoning Board as Alt. #2. Roll call vote – all ayes. Motion carries.

**Council Representative to the Economic Development Committee**

Due to a time/work related conflict, Council Vice President Baldorossi cannot represent Council on the Economic Development Committee. He asked to be replaced in that appointment.

It was on the MOTION of Sandusky, seconded by Ryan to appoint **Dennis O'Hara** as Council Representative to the Economic Development Committee. Roll call vote – all ayes.

**Burlington County Route 130 Corridor Representative**

Council President O'Hara confirmed that Pete Darata will serve as Florence Township's Burlington County Route 130 Corridor Representative. Council Members unanimously approved.

Council President O'Hara announced that there are still **vacancies** on the following Boards:

Florence Township Citizens Advisory Committee on Landfill Matters – Council Appointment

Florence Township Historic Preservation, Class C, Alt. #1 & 2 – Mayor Appointment

Florence Township Citizens Advisory Committee on Landfill Matters – Mayor Appointment

**DUFFY MANOR**

Administrator Brook stated that Community Investment Strategies (CIS) is moving forward in 2011 to file another tax credit application to the State of New Jersey. They have already been awarded approximately \$1.1 million through the Federal Government and at least \$500,000 through Burlington County. The biggest issue with getting this project moving forward is the tax credit from the State of NJ. One of the aspects in the change of the project is the demolition of the building because it is more cost effective than an adaptive reuse of the building; plan to demolish it and rebuild it in place with a replica of the exterior. The actual living units will be much nicer this way. As CIS moves forward all documentation needs to be current and there are Agreements that need to be in place, which are essentially the same Agreements that were done before and are as follows:

**Payment in Lieu of Taxes or Pilot Program:** Administrator Brook explained that there are two (2) ways to do pilot programs in the State of New Jersey. One is under the redevelopment law, the other deals with affordable housing. It is more advantageous to the municipality to do it under the affordable housing law. Under the Pilot Program there are very few changes. Normally Pilot Programs are done based on gross rents and a percentage of the gross rents comes back to the municipality. The Agreement the governing body negotiated with CIS basically says for years 1-10 Florence Township will get a minimum payment of \$21,538 per year, years 11 – 20 is \$28,676 and years 21 – 30 is \$32,500. Florence Township will always get that minimum payment no matter how much rent they bring in. If they end up bringing in a greater revenue, the township will receive that money. That is reaffirmed in the agreement. A couple minor changes were made to language just so there is no confusion that the township receives the minimum payment and also receives anything over that.

**Assignment of the Affordable Housing Agreement:** Administrator Brook stated that this is the same document that was previously executed, just updated. One change deals with the number of

**Florence Township Council Executive Session: 01/19/11**

units; there will be 65 units and one will be set aside for a live in superintendent. Language has been added concerning the long-term tax exemption law, confirmed the substance certification is in the Agreement. CIS has to breakdown who the managing partners are. There are no significant changes to the agreement. Solicitor Kearns explained that he went through the entire Agreement and is comfortable with the amendments.

Administrator Brook explained that CIS will have to come back before the Planning Board for site plan approval.

Council Members are in agreement with the amendments to the Agreements.

**RENEW YACHT CLUB LEASE**

Joy Weiler, Township Clerk, explained that the Yacht Club Lease is automatically renewed by Ordinance every three years. She placed the Ordinance on the Agenda and provided a copy in the packet in case the governing body wanted to review and discuss.

Council Member Sandusky noted that three years ago when this lease was renewed, the governing body asked the President of the Yacht Club to give a report of their use of the property and a list of members, which they complied with.

Council Member Ryan discussed the various municipally owned properties that the township operates and pays for along with budget constraints and state aid being taken from the municipality each year. He suggested looking at the municipally owned properties to see if some of them could be liquidated and use the proceeds towards some of the township's debt. Council Member Sandusky stated that the Yacht Club is an active club; they pay the utilities and maintain the property. Assistant Administrator Sahol noted that the Yacht Club may be Green Acres property and would not be able to be sold. Council Member Ryan suggested a provision in the Agreement that would allow the township the ability to get out of the lease if the opportunity arose. Council Member Sandusky would not want to take that building away from the club that is utilizing it. Council President O'Hara can see both sides. He would like to proceed with renewing the lease for the Yacht Club but look into other municipally owned properties that are under utilized. Administrator Brook will prepare a report of all municipal owned buildings that are not being used

It was on the MOTION of Sandusky, seconded by Woolston to proceed with the preparation of the Ordinance renewing the yacht club lease at the February 2, 2011 meeting.

8:40PM MOTION by Sandusky, seconded by Baldorossi to adjourn to the Regular Session. Roll call vote – all ayes.

**ADJOURNMENT**

8:40PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk

/mab